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REMARKS

Reconsideration and allowance are respectfully requested.

Claims 16-23 are now pending, with Claim 16 being independent. Claims 19-21 are currently amended, and Claims 24-31 are currently cancelled. No new matter is believed to have been added.

Turning now to the Office Action mailed August 26, 2004:

As an initial matter, Applicants respectfully request entry of the 37 CFR 1.825(a) Preliminary Amendment to Sequence Listing filed on May 27, 2004. Applicants had submitted the required paper copy and computer readable form of the amended Sequence Listing, in addition to the Declaration in Accordance with 37 CFR 1.821. The Image File Wrapper indicates that these required papers were in fact received by the Office. Entry is respectfully requested.

Regarding the objections to the specification:

Applicants do not believe Tris-HCL to be a trademark, although it is believed to be a common name for the full chemical name of Tris-HCL, namely Tris(hydroxymethyl)aminomethane Hydrochloride. Applicants have amended the specification to indicate this chemical name for Tris-HCL. Applicants believe all other trademarks are properly noted throughout the specification.

Applicants have amended the title and the specification to refer properly to the numbering of the drawings, as suggested.

In view of the foregoing, withdrawal of the objections to the specification is respectfully requested.

Regarding the objections to the claims, Claims 20-21 have been amended to correct the improper multiple dependency claim language, as suggested. Withdrawal of this objection is respectfully requested.

Regarding the Section 112, 1st paragraph written description rejection, Applicants respectfully traverse.

Applicants attach hereto an ATCC Deposit Receipt for Plasmid, pML103. Applicants have also amended Example 5 of the instant specification to include the ATCC date of deposit, which was prior to the filing date of the instant application; Example 5 of the instant specification, as originally filed, sets forth the ATCC Accession Number for Plasmid, pML103 and the ATCC address. In view of the foregoing, Applicants respectfully submit that all of the deposit requirements under 37 CFR 1.801-1.809 are met as of the filing date of the instant application.

Withdrawal of the Section 112, 1st paragraph written description rejection is respectfully requested.

Regarding the Section 112, 2d paragraph rejection, Applicants have amended Claim 19. Withdrawal of this rejection is respectfully requested.

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Applicants believe this submission to be responsive to each of the points raised in the Office Action. Allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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Dated: 27 February 2005

Appendix: copy of ATTC Deposit Receipt (1page)